

Notice of Allowability

Application No.

09/593,546

Examiner

Aamir Haq

Applicant(s)

ROBINSON, DAVE

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 2/12/2007.
2. ☒ The allowed claim(s) is/are 25, 26, 30 - 32, 34, 38 - 40, 44, and 46 renumbered as 1 - 11 respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Aamir Haq
571-272-5511

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Rob L. Phillips on 4/10/2007.

The claims have been amended as follows:

32. (currently amended) A pair of covers for covering a mouthpiece and earpiece of a telephone handset comprising:
- an earpiece cover fabricated entirely of a pliable material and shaped to resemble contours of the earpiece comprising:
 - a base, including a front surface and rear surface, having a plurality of holes therethrough,
 - a concentric lip extending from said front surface and around an outer perimeter of said base;
 - a perimeter wall extending from said rear surface and around said outer perimeter of said base, said perimeter wall defining a space adapted for receipt, and retention via friction, of the earpiece of the telephone handset;

Art Unit: 2614

a mouthpiece cover fabricated entirely of a pliable material and shaped to resemble contours of the mouthpiece comprising:

a top, including a front surface and rear surface, with a plurality of holes therethrough;

an annular wall extending from said rear surface and around an outer perimeter of said top, said annular wall of said rear surface of said top defining a space adapted for receipt, and retention via friction, of the mouthpiece of the telephone handset;

wherein said earpiece, mouthpiece or both include a writable surface providing a means for a user to record information; and

wherein a diameter of said perimeter wall of said earpiece cover is less than a diameter of said annular wall of said mouthpiece cover such that said perimeter wall of said earpiece cover is nestable within said annular wall of said mouthpiece cover thereby forming a single compact unit.

Claim 33 has been cancelled

39. (currently amended) A set of covers for attaching to a mouthpiece and earpiece of a telephone handset comprising:

an earpiece cover fabricated entirely of a pliable material and shaped to resemble contours of the earpiece comprising:

a first base, including a front surface and rear surface, with a plurality of holes therethrough and further including an outer perimeter;

Art Unit: 2614

said front surface of said first base having an annular lip extending around said outer perimeter of said first base;

said rear surface of said first base having a perimeter wall extending around said outer perimeter of said first base, said perimeter wall of said rear surface of said first base defining a void adapted for receipt, and retention via friction, of the earpiece of the telephone handset;

a mouthpiece cover fabricated entirely of a pliable material and shaped to resemble contours of the mouthpiece comprising:

a second base, including a front surface and rear surface, with a plurality of holes therethrough and further including an outer perimeter;

said rear surface of said second base having an annular wall extending around said outer perimeter of said second base, said annular wall of said rear surface of said second base defining a void adapted for receipt, and retention via friction, of the mouthpiece of the telephone handset; and

wherein a diameter of said perimeter wall of said earpiece cover is less than a diameter of said annular wall of said mouthpiece cover such that said perimeter wall of said earpiece cover is nestable within said annular wall of said mouthpiece cover thereby forming a single compact unit.

Claim 45 has been cancelled

Art Unit: 2614


3 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aamir Haq whose telephone number is 571-272-5511. The examiner can normally be reached on Mon thru Fri 8:30am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



A.H.
April 11, 2007



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